

ORIGINAL

DOCKET FILE COPY ORIGINAL

Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554

RECEIVED

DEC 17 1997

FEDERAL COMMUNICATIONS COMMISSION  
OFFICE OF THE SECRETARY

In the Matter of

Advanced Television Systems  
and Their Impact Upon the  
Existing Television Broadcast  
Service

MM Docket No. 87-268

TO: The Commission

COMMENTS OF P & LFT, LLC

1. P & LFT, LLC ("P & LFT") hereby submits its Comments in response to the Public Notice ("FCC Seeks Comments on Filings Addressing Digital TV Allotments") issued by the Chief, Office of Engineering and Technology, on December 2, 1997.

2. P & LFT is the licensee of Station WKCF(TV), Clermont, Florida, which operates on Channel 18. In P & LFT's view, whatever DTV standards are adopted, those standards should not put UHF licensees at a competitive disadvantage vis-à-vis their VHF counterparts. In particular, to the extent that a station's DTV coverage is to be determined by reference to its current coverage, a UHF station should be entitled to DTV facilities which will enable the station to serve, at a minimum, the area which it presently serves in actual fact (as opposed to the smaller area which would generally be predicted by the theoretical calculations provided for in the Commission's rules). If a station in fact serves viewers in its current mode of operation, it should be assured that, upon conversion to DTV, it will continue to serve those same viewers. For that reason,

0414

P & LFT supports the efforts of the Association of Local Television Stations to obtain higher power for UHF licensees.

3. With respect to the possible continued use of Channels 60-69, P & LFT submits that it would be foolhardy for the Commission to abandon those channels until after DTV service has been implemented and the actual effect of that service can be gauged and assessed. While it may be that Channels 60-69 will be unnecessary in the final scheme of things, the fact is that at this time, no one knows with any certainty at all whether DTV operation will perform as predicted, or whether it may be necessary to tweak the allotment system to accommodate unforeseen operational problems. Since Channels 60-69 are already allotted for broadcast television service, it makes sense simply to leave them as is pending implementation of the DTV service. If it turns out that DTV service works as predicted and, as a result, Channels 60-69 are no longer necessary for television broadcasting, those channels can then be released. To release them now, however, based only on some theoretical projections, would not be prudent.

4. Finally, P & LFT is constrained to observe that, in August, 1992, P & LFT's predecessor-in-interest, Press Broadcasting Company, Inc. ("Press"), filed a Petition for Rule Making in which it proposed a regulatory approach to assure the Commission and the television broadcast industry a reasonable transition to DTV service. When the Commission chose to ignore Press's initial filing in August, 1992, Press re-filed its

petition as an attachment to comments filed in this proceeding in January, 1993. It also referenced the petition in other comments filed in MM Docket No. 91-221. And in November, 1996, Press submitted yet a further Petition for Rule Making offering a somewhat more refined proposal (the refinements being based on the intervening four years' of experience).

5. At no time has the Commission ever even acknowledged that Press filed any proposal at all.<sup>1/</sup> Press's petitions were never given file numbers and the Commission never sought comment on them. Press's pleadings appear to have fallen into some regulatory black hole, never to emerge.

6. P & LFT submits that, however the Commission ultimately elects to structure the transition to the DTV service, it would be at a minimum appropriate to acknowledge and address Press's proposal. Press submitted (and then re-submitted, and then re-re-submitted) its proposal in the good faith hope that that proposal would be helpful to the Commission, and with the good faith expectation that the Commission would at least give it some consideration. For more than five years since that proposal was first advanced, the Commission has thrashed around seeking some rational way to shift to a DTV-dominated broadcast service. And yet, the Commission has never even so much as mentioned Press's proposal.

7. P & LFT is hopeful that the current Commission is more

---

<sup>1/</sup> Of course, the Office of the Secretary stamped Press's various submissions as "received", so Press and P & LFT know that the pleadings were in fact filed with the Commission.

willing at least to acknowledge the good faith efforts of parties such as Press who seek to assist the Commission in its regulatory mission. Obviously, the television broadcast community is facing challenges unprecedented in the history of the industry. P & LFT (and Press, its predecessor) are simply attempting to work with the Commission and the rest of the industry in confronting and successfully addressing those challenges.

Respectfully submitted,

  
/s/ Harry F. Cole  
Harry F. Cole

Bechtel & Cole, Chartered  
1901 L Street, N.W.  
Suite 250  
Washington, D.C. 20036  
(202) 833-4190

Counsel for P & LFT, LLC

December 17, 1997